REMARKS

Claims 1-4, 6-9, 11-14, 16-19, 21-24 and 26-34 are now pending in the application. Claims 1, 8, 13, 18, 23, and 28 are amended. Claims 29-34 are added. Support for the amendments and additions can be found in the originally filed specification at Figure 3A and page 35, line 13 — page 38, line 10. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein.

STATEMENT OF THE SUBSTANCE OF THE INTERVIEW

Applicants thank the Examiner for the telephonic interview of March 29, 2007, wherein the Examiner, Calvin L. Hewitt, and Applicants' representative, Gregory A. Stobbs, discussed the rejections. The Examiner suggested amendments to recite subject matter illustrated in Figure 3A and discussed at page 35, line 13 — page 38, line 10. The Examiner also pointed out another prior art reference, Stoneking et al. (U.S. Pat. No. 5,982,390) to illustrate individual use restriction for time-synchronized musical parts. However, as best understood by Applicants, Stoneking et al. merely teach that cartoon characters under real-time, human control in a video game 3D graphical environment may be restricted from entering certain scenes or performing certain actions, such that no synchronization exists. Agreement was not reached.

REJECTION UNDER 35 U.S.C. § 103

Claims 1-4, 6-9, 11-14, 16-19, 21-24 and 26-28 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Ginter et al. (U.S. Pat. No. 5,892,900) in view of Erickson (U.S. Pat. No. 5,765,152). This rejection is respectfully traversed.

The Examiner relies on Ginter et al. to teach a peer-to-peer content distribution and redistribution system in which a distributor of a first piece of content can define use restrictions for distributed content, and a recipient redistributor can package that first piece of content with a second piece of content having its own use restrictions, and add more use restrictions for the package. As a result, end users can selectively consume the

pieces of content separately when allowed, and the content creators and the distributor and redistributor can be paid for the end users' actual use of the content. But nowhere do Ginter et al. teach, suggest, or motivate that pieces of content can be time-synchronized for simultaneous, synchronous playback. Nor, do Ginter et al. teach, suggest, or motivate that the use restriction for a single piece of content can be applied to individually restrict use of music parts or phrases of that piece of content.

The Examiner relies on Erickson to teach a content distribution system allowing users to obtain additional rights for processing content using varying representation modes. However, Erickson does not teach, suggest, or motivate that the pieces of content can be time-synchronized for simultaneous, synchronous playback. Nor does Erickson teach, suggest, or motivate that the use restriction for a single piece of content can be applied to individually restrict use of music parts or phrases of that piece of content.

Applicants' claimed invention is directed toward a contents providing service system, method, or apparatus, in which the contents represent at least one music program that is subdivided into parts selected from the group consisting of music parts and phrases and the use restriction information represents the use prohibit ranges of the music parts and phrases, the use allow ranges thereof, and the provisional use prohibit ranges thereof, said music parts and phrases being time-synchronized together for simultaneous, synchronous playback. For example, claim 1, especially as amended, recites, "the contents represent at least one music program that is subdivided into parts selected from the group consisting of music parts and phrases and the use restriction information represents the use prohibit ranges of the music parts and phrases, the use allow ranges thereof, and the provisional use prohibit ranges thereof, said music parts and phrases being time-synchronized together for simultaneous, synchronous playback." Claims 8, 13, 18, 23, and 28, especially as amended, recite similar subject matter. Support for the amendments can be found in the originally filed specification at Figure 3A and page 35, line 13 — page 38, line 10.

Accordingly, Applicants respectfully request the Examiner reconsider and withdraw the rejection of claims 1, 8, 13, 18, 23, and 28 under 35 U.S.C. § 103(a), along with rejection on

these grounds of all claims dependent therefrom. New claims 29-34 should be allowed for the same reasons.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action and the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested.

If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Dated: April 30, 2007

Respectfully submitted,

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